



CRL OP(MD). No.13636 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 07/04/2026

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THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.13636 of 2025

Suhash

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu Rep by,
The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.
Crime No.112/2024.

... Respondent/ Complainant

PRAYER :-

To enlarge the petitioner on bail in Crime No.112/2024 on the file of the respondent Police in connection with the CC No.1/2025 on the file of Learned Additional District and Sessions Judge /Special Court under the Essential Commodities and NDPS Act Cases, Pudukkottai.

For Petitioner : Mr.B.Jameelarasu,
Advocate.

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

The petitioner/A3, who was arrested and remanded to judicial



CRL OP(MD). No.13636 of 2025

custody on 07.07.2024 by the learned Additional District and Sessions Judge/Special Court under the Essential Commodities and NDPS Act Cases, Pudukkottai, for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c), 29(1) and 25 of NDPS Act, 1985, in Crime No.112 of 2024 on the file of the respondent police, which was charge sheeted and taken on file in C.C.No.1 of 2025, seeks bail.

2. The case of the prosecution is that on 07.07.2024, at about 01.00 p.m, on secret information, the respondent police went to the occurrence place, they found A2 to A6 inside the car bearing Reg.No.AP-30-AA-2929 and A9 to A12 standing near a bridge. On seeing the police party, they escaped from the scene of occurrence. However, the respondent police nabbed them except A12. On searching, they found 122 kg of ganja. Hence, the respondent police registered a case in Crime No.112 of 2024 for the aforesaid offences and the petitioner was arrested on 07.07.2024. After completion of investigation, final report was filed before the Additional District and Sessions Judge/Special Court under the Essential Commodities and NDPS Act Cases, Pudukkottai, and the same was taken on file in C.C.No.1 of 2025. Since the petitioner is in



CRL OP(MD). No.13636 of 2025

custody from 07.07.2024 onwards, this petition has been filed.

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3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that this is the third bail petition. Earlier petition filed by the petitioner was dismissed by this Court. He would further submit that though the quantity involved in this case is a commercial quantity, the contraband recovered from the petitioner is an intermediate quantity of 4 kg and as on date, no previous case is pending against the petitioner and already the case, which was pending as against the petitioner was ended in acquittal and except the petitioner/A3 and A5, similarly placed persons (A6) wa already granted bail by the Hon'ble Supreme Court and the petitioner is in custody from 07.07.2024 onwards. Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent strongly opposed to grant bail to the petitioner on the ground



CRL OP(MD). No.13636 of 2025

that the the petitioner and other accused were found in illegal possession of 122 kg of ganja and hence, the quantity involved in this case is a commercial quantity and the petitioner is having 1 previous case. However, he fairly conceded that the case as against the petitioner is ended in acquittal in the year 2021 and the co-accused were already released on bail by the Hon'ble Supreme Court.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and both the counsel stated that though the quantity involved in this case is a commercial quantity, the contraband recovered from the petitioner is an intermediate quantity of 4 kg and no previous case is pending against the petitioner and already the case, which was pending as against the petitioner was ended an acquittal and similarly placed persons was already granted bail by the Hon'ble Supreme Court and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the



CRL OP(MD). No.13636 of 2025

petitioner subject to the following conditions:

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[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Additional District and Sessions Judge/Special Court under the Essential Commodities and NDPS Act Cases, Pudukkottai, and on further conditions that:

[b] the petitioner shall report before the trial Court on all working day at 10.30 a.m., and 05.00 p.m until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing



CRL OP(MD). No.13636 of 2025

WEB COPY

such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

07.04.2026
1/2

dss

To

6/8



CRL OP(MD). No.13636 of 2025

1.The Additional District and Sessions Judge/Special Court under the Essential Commodities and NDPS Act Cases, Pudukkottai,

2.The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.

3. The Superintendent,
Central Prison, Trichy.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.13636 of 2025

P. DHANABAL,J

dss

ORDER
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CRL OP(MD) No.13636 of 2025

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1/2